



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

JEROME ADDISON,	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION NO. 2:06-3308-HFF-RSC
	§	
COUNTY OF CHARLESTON MAGISTRATE	§	
OFFICE et al.,	§	
Defendants.	§	

ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE

This case was filed as a § 1983 action. Plaintiff is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting that this action be dismissed *without prejudice* and without issuance and service of process. The Magistrate Judge also recommends that the dismissal be deemed a strike for purposes of § 1915(g). The Report is made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on December 5, 2006. Plaintiff filed objections to the Report on December 15, 2006, and December 20, 2006. In each of his submissions, Plaintiff states that he objects to the Report “in its entirety.” Specific objections, however, are necessary to focus the Court’s attention on disputed issues. *Thomas v. Arn*, 474 U.S. 140, 147-48 (1985). Because general objections to a Magistrate Judge’s Report, such as those set forth above, fail to direct the Court’s attention to any specific portion of the Report, they are tantamount to a failure to object. *Howard v. Secretary of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991); *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982) (stating that a failure to file specific objections to particular conclusions in the Magistrate Judge’s Report, after warning of consequences of failure to object, waives further review).

After a thorough review of the Report and the record in this case pursuant to the standard stated above, the Court adopts the Report and incorporates it herein *to the extent that it does not contradict this Order*. Therefore, it is the judgment of this Court that this action be **DISMISSED** *without prejudice* and without issuance and service of process. The Court declines, however, to issue a strike.

As to the remaining motions pending in this case, Plaintiff’s motion to amend his statement of assets is hereby **GRANTED**. All remaining motions, however, are **DENIED** as Plaintiff has failed to set forth any legal and/or factual basis on which the Court could properly grant the motions.

IT IS SO ORDERED.

Signed this 27th day of December, 2006, in Spartanburg, South Carolina.

s/ Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified of the right to appeal this Order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.